

REMARKS

Claims 1-20 and 24-28 are pending. Claims 21-23 are cancelled. Claims 1-4, 7, 8, 11, 13, 14, 24 and 25 are amended. No new matter has been added.

Claims 1-3, 5, 9-11, 21, 22, and 24-28 stand rejected under 35 U.S.C. 102 (b) as being anticipated by Marucci (U.S. Patent No. 6,582,451). Applicant traverses the rejection. Applicant has amended independent claims 1 and 24 to more clearly define the invention, and submit that Marucci does not teach or suggest the claimed invention. In particular, among other elements, Marucci does not disclose a clamp that has an actuating structure that is configured to move at least one of the first jaw and the second jaw from a first configuration, where the first jaw and the second jaw are positioned substantially parallel to one another, to a second configuration where the first jaw and the second jaw are spaced apart a first distance and are positioned substantially parallel to one another, and wherein the actuating structure is further configured to selectively rotate at least one of the first jaw and the second jaw relative to the other of the first jaw and the second jaw from the second configuration to a third configuration where the distal ends of the first jaw and the second jaw are spaced apart a distance greater than the first distance and the first jaw and the second jaw are not substantially parallel to one another.

As a result, Marucci does not teach or suggest the invention claimed in claims 1 or 24. Nor does Marucci teach the elements claimed in at least claim 3. As such, Applicant submits that claims 1 and 24 are allowable, as are the claims that depend therefrom, and seeks withdrawal of the rejection.

Claims 4, 6-8 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Marucci (U.S. Patent No. 6,582,451) as applied to claim 3 above, and further in view of Prestel (U.S. Patent No. 5,968,074). The Examiner indicates that Marucci does not teach an angled slot and argues that the circular groove 8 of Prestel provides one skilled in the art with the suggestion to combine Prestel to Marucci. Applicant traverses the rejection. Marucci only teaches parallel movement of the jaws with respect to one another. There is no structure that rotates one jaw with respect to the other and permits parallel movement. First, Prestel does not describe a mechanism that moves the jaws from a first parallel configuration to a second parallel configuration. As a

result, Prestel does not teach or describe a mechanism that both imparts a parallel movement and a rotational movement. Second, there is no suggestion or motivation to combine Prestel and Marucci. There is simply no teaching to combine these two references to provide the claimed invention. Further, there is no teaching of how such a combination would work. For those and other reasons not described herein, Applicant requests the Examiner to withdraw the rejection.

Claims 14-19 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Marucci et al. (U.S. Patent No. 6,582,451), and further in view of Prestel (U.S. Patent No. 5,968,074). For the same reasons described in connection with the prior stated rejection, Applicant traverses the rejection and requests that the rejection be withdrawn.

Claim 20 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Marucci (U.S. Patent No. 6,582,451) and Prestel (U.S. Patent No. 5,968,074) as applied to claim 14 above, further in view of Fogerty et al. (U.S. Patent No. 6,228,104). Applicant submits that claim 20 is allowable as it depends ultimately from claim 14, which is allowable.

Claims 12 and 13 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Marucci (U.S. Patent No. 6,582,451) as applied to claim 1 above. Applicant submits that claim 20 is allowable as it depends ultimately from claim 1, which is allowable.

Applicant invites the Examiner to contact the undersigned representative to discuss any outstanding issues with regard to the application. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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